

For PTO/SB/08 INFORMATION DISCLOSURE CITATION IN AN APPLICATION (Use several sheets if necessary)		Docket Number (Optional) APBI-P04-035	Application Number 10/037,415
		Applicant Baltimore et al.	
		Filing Date January 4, 2002	Group Art Unit 1646 / 636

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PTO-146

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EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
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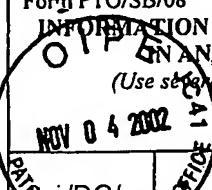
	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	Translation	
						YES	NO
/DG/	AA	WO 87/04170	7/16/87	PCT			

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		Filing Date January 4, 2002	Group Art Unit P04B / 63C
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<table border="1"> <tr> <td rowspan="2">/DG/ PATENT &amp; TRADEMARK OFFICE</td> <td>BU</td> <td colspan="2">Singh, H. et al. A Nuclear Factor that Binds to be Conserved Sequence Motif in Transcriptional Control Elements of Immunoglobulin Genes. <i>Nature</i> 319, 154-158 (1986).</td> </tr> <tr> <td>BV</td> <td colspan="2">Staudt, L. et al. Cloning of a Lymphoid-specific cDNA Encoding a Protein Binding the Regulatory Octamer DNA Motif. <i>Science</i> 241, 577-580 (1988).</td> </tr> <tr> <td>/DG/</td> <td>BW</td> <td colspan="2">Staudt, L.M. et al. A Lymphod-specific Protein Binding to the Octamer Motif of Immunoglobulin Promoter in Vitro. <i>Nature</i> 323, 640-643 (1986).</td> </tr> <tr> <td>/DG/</td> <td>BX</td> <td colspan="2">Strauss, F. &amp; Varshavsky, A. A Protein Binds to a Satellite DNA Repeat at Three Specific Sites that Would be Brought into Mutual Proximity by DNA Folding in the Nucleosome. <i>Cell</i> 37, 889-901 (1984).</td> </tr> <tr> <td>/DG/</td> <td>BY</td> <td colspan="2">Treisman, R. Transient Accumulation of c-fos RNA Following Serum Stimulation Requires a Conserved 5' Element and c-fos 3' Sequences. <i>Cell</i> 42, 889-902 (1985).</td> </tr> <tr> <td>/DG/</td> <td>BZ</td> <td colspan="2">Wall, R. et al. A Laible Inhibitor Blocks Immunoglobulin k-light-chain-gene Transcription in a Pre-B Leukemic Cell LIne. <i>PNAS</i> 83, 295-298 (1986).</td> </tr> <tr> <td>/DG/</td> <td>CA</td> <td colspan="2">Wirth, T. &amp; Baltimore, D. Nuclear factor NF-<math>\kappa</math>B can Interact Functionally with its Cognate Binding Site to Provide Lymphoid-Specific Promotor Function. <i>EMBO J.</i> 7, 3109-3113 (1988).</td> </tr> <tr> <td>/DG/</td> <td>CB</td> <td colspan="2">Wu et al. Purification of the Human Immunodeficiency Virus Type I Enhancer and TAR Binding Proteins EBP-1 and UBP-1. <i>EMBO J.</i> 7, 2117-2129 (1988).</td> </tr> <tr> <td>/DG/</td> <td>CC</td> <td colspan="2">Zabel, U. &amp; Baeurle, P. Purified Human I<math>\kappa</math>B can Rapidly Dissociate the Complex of the NF <math>\kappa</math>B Transcription Factor with its Cognate DNA. <i>Cell</i> 61, 255-265 (1990).</td> </tr> </table>				/DG/ PATENT & TRADEMARK OFFICE	BU	Singh, H. et al. A Nuclear Factor that Binds to be Conserved Sequence Motif in Transcriptional Control Elements of Immunoglobulin Genes. <i>Nature</i> 319, 154-158 (1986).		BV	Staudt, L. et al. Cloning of a Lymphoid-specific cDNA Encoding a Protein Binding the Regulatory Octamer DNA Motif. <i>Science</i> 241, 577-580 (1988).		/DG/	BW	Staudt, L.M. et al. A Lymphod-specific Protein Binding to the Octamer Motif of Immunoglobulin Promoter in Vitro. <i>Nature</i> 323, 640-643 (1986).		/DG/	BX	Strauss, F. & Varshavsky, A. A Protein Binds to a Satellite DNA Repeat at Three Specific Sites that Would be Brought into Mutual Proximity by DNA Folding in the Nucleosome. <i>Cell</i> 37, 889-901 (1984).		/DG/	BY	Treisman, R. Transient Accumulation of c-fos RNA Following Serum Stimulation Requires a Conserved 5' Element and c-fos 3' Sequences. <i>Cell</i> 42, 889-902 (1985).		/DG/	BZ	Wall, R. et al. A Laible Inhibitor Blocks Immunoglobulin k-light-chain-gene Transcription in a Pre-B Leukemic Cell LIne. <i>PNAS</i> 83, 295-298 (1986).		/DG/	CA	Wirth, T. & Baltimore, D. Nuclear factor NF- $\kappa$ B can Interact Functionally with its Cognate Binding Site to Provide Lymphoid-Specific Promotor Function. <i>EMBO J.</i> 7, 3109-3113 (1988).		/DG/	CB	Wu et al. Purification of the Human Immunodeficiency Virus Type I Enhancer and TAR Binding Proteins EBP-1 and UBP-1. <i>EMBO J.</i> 7, 2117-2129 (1988).		/DG/	CC	Zabel, U. & Baeurle, P. Purified Human I $\kappa$ B can Rapidly Dissociate the Complex of the NF $\kappa$ B Transcription Factor with its Cognate DNA. <i>Cell</i> 61, 255-265 (1990).	
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				Application Number	10/037415
				Filing Date	January 4, 2002
				First Named Inventor	David Baltimore
				Art Unit	1636
				Examiner Name	Not Yet Assigned GUZO
Sheet	1	of	2	Attorney Docket Number	APBI-P04-035

<b>U.S. PATENT DOCUMENTS</b>					
Examiner Initials*	Cite No. <sup>1</sup>	Document Number Number-Kind Code <sup>2</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear

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<b>NON PATENT LITERATURE DOCUMENTS</b>					
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Examiner Signature	/David Guzo/	Date Considered	05/16/2007
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				Application Number	10/037415
				Filing Date	January 4, 2002
				First Named Inventor	David Baltimore
				Art Unit	1636
				Examiner Name	Not Yet Assigned
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Atty. Docket No. 75723-2B/JPW/GJG Serial No. 10/037,415

Applicants  
David Baltimore et al.Filing Date Pg 1 of 49  
January 4, 2002INFORMATION DISCLOSURE CITATION  
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	6	1	5	0	0	9	0	11/21/00	Baltimore et al.			
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	06	9	4	6	3	6	5	12/24/86				
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/DG/	07	3	4	1	4	3	6	4/21/89				

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/DG/	Formation by a Nuclear Hormone Receptor", Molecular and Cellular Biology (1995) 15:5789-5799
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August 19, 2002 Defendants Eli Lilly & Company Memorandum In Support Of Its Combined Motion To Dismiss Under Fed.R.Civ.P. 12(b)(6) and Motion for Summary Judgment of Invalidity Under 35 USC Section 102 and 112, including Exhibits A-D, 02 CV 11280 RWZ

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/DG/	October 16, 2002 Declaration of Dr. Thomas D. Gilmore including Exhibits A-C and D1-D24, 02 CV 11280 RWZ
	October 17, 2002 Plaintiffs Opposition to Defendants Eli Lilly & Com.'s Combined Motion to Dismiss Pursuant to Fed.R.Civ.P. 12(b)(6) and Motion for Summary Judgment Under 35 USC Sections 102 and 112 including Tabs A-M, 02 CV 11280 RWZ
	November 18, 2002 Defendant's Eli Lilly & Company Reply In Support of Its Combined Motion to Dismiss Under Fed.R.Civ.R.12(b)(6) And Motion For Summary Judgment of Invalidity Under 35 USC Sections 102 & 112, 02 CV 11280 RWZ
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	August 20, 2003 Plaintiffs Ariad Pharmaceutical, Inc. et al. Response to Eli Lilly and Company's First Set of Rule 33 Interrogatories (Nos. 1-4)
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	November 24, 2003 Plaintiffs Opening Brief on Claim Construction, 02 CV 11280 RWZ
	November 24, 2003 Declaration of Laurie H. Glimcher, M.D.,
	November 24, 2003 Declaration of Vladimir V. Drozdoff in Support of Plaintiffs Opening Brief on Claim Construction, including Tabs 1-22, 02 CV 11280 RWZ
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	November 24, 2003 unsigned Defendant Eli Lilly and Company's Opening Claim Construction Brief, Document 198-3, filed 02/03/2006, in Civil Case 02 CV 11280 RWZ
	December 22, 2003 Plaintiffs Opposition Brief on Claim Construction, 02 CV 11280 RWZ
	December 22, 2003 Declaration of Vladimir V. Drozdoff in Support of Plaintiffs Opposition Brief on Claim Construction, including Tabs 1-18, 02 CV 11280 RWZ
↓	December 22, 2003 Supplemental Declaration of Dr. Thomas D. Gilmore, Document 201, filed 02/03/2006, in Civil Case 02 CV 11280 RWZ
/DG	December 22, 2003 Defendants Eli Lilly & Company's Opposition Claim Construction Brief, 02 CV 11280 RWZ

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	March 24, 2004 Plaintiffs Ariad Pharmaceuticals, Inc. et al. Supplemental Response to Eli Lilly & Company's First Set of Rule 33 Interrogatories (Nos. 1-5)
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	April 30, 2004 Plaintiffs Ariad Pharmaceuticals, Inc. et al. Second Supplemental Response to Eli Lilly & Company's First Set of Rule 33 Interrogatories (Nos. 1-5)
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	June 2, 2004 Plaintiffs Ariad Pharmaceuticals, Inc. et al. Responses to Eli Lilly & Company's Third Set of Rule 33 Interrogatories (No. 6)
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↓	June 7, 2004 Hearing before Honorable Rya W. Zobel, without Jury
/DG	June 28, 2004 Deposition of Jonathan H. Lebowitz in Civil Case 02 CV 11280 RWZ including deposition Exhibits 5-11 and 13 attached with this Supplemental Information Disclosure Statement, namely: October 28, 1987 Correspondence from Barbara Bakal Greene [LeBowitz 6/28/04 Exh 5]; May 19, 1987 Notice of Grant Award [LeBowitz 6/28/04 Exh 6]; July 26, 1988 Notice of Grant Award [LeBowitz 6/28/04 Exh 7]; December 19, 1989 Notice of Grant Award [LeBowitz 6/28/04 Exh 8]; April 23, 1990 Notice of Grant Award [LeBowitz 6/28/04 Exh 9]; Set of hand written notes [LeBowitz 6/28/04 Exh 10]; Set of hand written notes [LeBowitz 6/28/04 Exh 11]; and Set of hand written notes [LeBowitz 6/28/04 Exh 13] (deposition Exhibits 2 and 14 are copies of the subject patent, deposition Exhibit 12 is plaintiffs' privileged log, and deposition Exhibits 1, 3 and 4 have been submitted as items 164, 2 and 167, respectively, in Patentees' August 8, 2005 Information Disclosure Statement)

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/DG/ June 30, 2004 Deposition of Harinder Singh, Ph.D. in Civil Case 02 CV 11280 RWZ including deposition Exhibits 21-25 attached with this Supplemental Information Disclosure Statement, namely: February 25, 1988 American Type Culture Collection [Singh 6/30/04 Exh 21]; Set of hand written notes [Singh 6/30/04 Exh 22]; Set of hand written notes [Singh 6/30/04 Exh 23]; Set of hand written notes [Singh 6/30/04 Exh 24] and Set of hand written notes [Singh 6/30/04 Exh 25] (deposition Exhibits 17, 18, 27, 28, 30 and 31 have been submitted as items 163, 1, 26, 27, 76 and 100, respectively in Patentees' August 8, 2005 Information Disclosure Statement)

August 23, 2004 Defendant's Exhibit 45 - Asserted Claims Against EVISTA

August 23, 2004 Deposition of Dr. David Baltimore in Civil Case 02 CV 11280 RWZ

August 23, 2004 Videotaped Deposition of Dr. David Baltimore, pgs. 1-4, and 85-87 in Civil Case 02 CV 11280 RWZ

September 30, 2004 Deposition of Dr. Phillip A. Sharp in Civil Case 02 CV 11280 RWZ including deposition Exhibits 87-89 attached with is Supplemental Information Disclosure Statement, namely: February 13, 1986 correspondence from Brian W. Kimes, Ph.D. [Sharp 9/30/04 Exh 87]; April 30, 1986 Notice of Grant Award [Sharp 9/30/04 Exh 88]; and November 3, 1986 Notice of Grant Award [Sharp 9/30/04 Exh 89] (deposition Exhibits 85 and 86 have been submitted as items 29 and 28 in Patentees' August 8, 2005 Information Disclosure Statement)

October 12, 2004 Deposition of Ranjan Sen in Civil Case 02 CV 11280 RWZ

October 18, 2004 Eli Lilly & Company's Response to Plaintiffs' Second Set of Requests for Admission to Eli Lilly & Company (Nos. 19-23)

October 21, 2004 Deposition of Chen-Ming Fan in Civil Case 02 CV 11280 RWZ

October 22, 2004 Deposition of Michael J. Lenardo, M.D. in Civil Case 02 CV 11280 RWZ

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Rule 26(A)(2) Report of Bert Spilker, Ph.D., M.D. dated October 21, 2005 in Civil Case 02 CV 11280 RWZ including Exhibit 1 attached with this Fourth Supplemental Information Disclosure Statement, namely: Biography of Dr. Bert Spilker

Rule 26(A)(2) Rebuttal Report of George R. Stark, Ph.D., dated October 21, 2005 in Civil Case 02 CV 11280 RWZ including Exhibits 1-45 attached with this Fourth Supplemental Information Disclosure Statement, namely: U.S. Patent No. 6,060,310, issued May 9, 2000, Cho-Chung; File History of U.S. Serial No. 08/464,364, filed June 5, 1995; U.S. Patent No. 6,410,516, issued June 25, 2002, Baltimore et al.; File History of U.S. Serial No. 07/162,680, March 1, 1988; File History of U.S. Serial No. 07/280,173, filed December 5, 1988; File History of U.S. Serial No. 07/318,901, filed March 3, 1989; File History of U.S. Serial No. 07/341,436, filed April 21, 1989; Baeuerle and Baltimore, Cell (1988) 53:211-217; Baeuerle and Baltimore, Science (1988) 242:540-546; Bass et al., Proteins: Structure, Function & Genetics (1990) 8:309-314; Berns et al., Breast Cancer Research & Treatment (1984) 4:195-204; Boda et al., Folia Biologica (Praha) (1987), 33:93-97; Bressler et al., Journal of Virology (1993) 67:288-293; Brown et al., Science (1995) 267:1485-1488; Cunningham and Wells, Science (1989) 244:1081-1085; Davis et al., Science (1991) 253:1268-1271; Du et al., Molecular Brain Research (2005) 136:177-188; Curriculum Vitae of George R. Stark, Ph.D. updated 9/12/05; Rebuttal Report of George R. Stark; Fried and Crothers, Nucleic Acids Research (1981) 9:6505-6525; Friedman et al., Nature (1988) 335:452-454; Gallop et al., Journal of Medicinal Chemistry (1994) 37:1233-1251; Gesner et al., Journal of Cellular Physiology (1988) 136:493-499; Ghosh and Baltimore, Nature (1990) 344:678-682; Haskill et al., Cell (1991) 65:1281-1289; Horuk R., Journal of Immunological Methods (1989) 119:255-258; Hoyos et al., Science (1989) 244:457-460; Kawamurn et al., Gene Therapy (2001) 8:906-912; Khaled et al., Clinical Immunology (1998) 86:170-179; Methods in Molecular and Cellular Biology (1989) 1:249; Logeat et al., The EMBO Journal (1991) 10:1827-1832; McKinsey et al., The Journal of Biological Chemistry (1997) 272:22377-22380; McKnight and Kingsbury, Science (1982) 217:316-324; Morishta et al., Nature Medicine (1997) 1:894-899; Myers et al., Research Articles (1986) 232:613-618; Nabel et al., Proc. Natl. Acad. Sci. USA (1996) 93:15388-15393; Nicolau et al., Cell Cell Fusion (1984) pp. 254-267; Reisine et al., Proc. Natl. Acad. Sci. USA, (1985) 82:8261-8265; Roodemand et al., Immunobiol. (1987) 176:35-46; Sawa et al., Circulation (1997) 96(suppl):II-280-II-285; Scott and Smith, Science (1990) 249:386-390; Siebenlist et al., Annu. Rev. Cell Biol. (1994) 10:405-455; Tanaka et al., Nucleic Acids Research (1994) 22:3069-3074; Tomita et al., Journal of Hypertension (1996) 16:993-1000; Trepicchio and Krontiris, Nucleic Acids Research (1993) 21:977-985

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/DG/	November 10, 2005 Eli Lilly and Company's Sixth Supplemental Responses To Plaintiffs' First Set of Interrogatories (Nos. 1-5), pgs. 1-6, in Civil Case 02 CV 11280 RWZ
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/DG/	November 18, 2005 Condensed Deposition of Carolyn Smith in Civil Case 02 CV 11280 RWZ including deposition Exhibits 1-11 attached with this Third Supplemental Information Disclosure Statement, namely: Cirriculum Vitae of Carolyn Louise Smith, Ph.D., ADL Bates Nos. 0037187-0037205 [DDX 300 11/18/05]; September 8, 2005 Expert Report of Dr. Carolyn L. Smith Restricted Confidential [DDX 301 11/18/05]; November 11, 2005 Declaration of Carolyn Smith [DDX 302 11/18/05]; Laboratory notebook of Dr. Carolyn Smith, Bates Nos. CLS 00001-00295 Confidential Information Under Protective Order [DDX 303 11/118/05]; Cavarretta, et al., Molecular Endocrinology (2002), 16(2):253-270 [DDX 304 11/18/05]; Coleman, et al., The Journal of Biological Chemistry, (2003), 278(15):12834-12845 [DDX 305 11/18/05]; Dutertre and Smith, The Journal of Pharmacology and Experimental Therapeutics, (2000), 295(2):431-437 [DDX 307 11/18/05]; Marino et al., Molecular and Cellular Endocrinology, (2001), 182:19-26 [DDX 308 11/18/05]; Smith and Cummings, Supplement to Menopause Management, (March/April 2005), pp. 40-43 [DDX 309 11/18/05]; Abstract SA485-SA488 from Journal of Bone and Mineral Research, (2000), p. S325 [DDX 310 11/18/05]; and Abstract SA473-SA476 from Journal of Bone and Mineral Research (2003), [DDX 311 11/18/05]	
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/DG/	December 12, 2005 Condensed Deposition of Jesus Egido in Civil Case 02 CV 11280 RWZ including deposition Exhibits 1-8 attached with this Third Supplemental Information Disclosure Statement, namely: Pasaje de los Aucianos, 24, 28034 Madrid [Egido 1 12/12/05]; Abbreviated Curriculum Vitae of Jesus Egido MD [Egido 2 12/12/05]; September 9, 2005 Expert Report-Dr. Jesus Egido [Egido 3 12/12/05]; Binder of references for J. Edigo which includes: St. Leger et al., The Lancet, (1979), 1017-1020; Manna et al., The Journal of Immunology (2000), 164:6509-6519; Holmes-McNary and Baldwin Jr., Cancer Research (2000), 60:3477-3483; Blanco-Colio, Circulation., (2000), 102:1020-1026; Department of Health & Human Services Public Health Service, <http://www.nal.usda.gov/fnic/Dietary/dietdor.htm>; Gaziano et al., The New England Journal of Medicine, (1993), 329:1829-1834; Dell'Agli, Cardiovascular Research, (2004), 63:593-602; Bellido et al., Am. J. Clin. Nutr. (2004), 80:1487-1491; Ritchie, M.E., Circulation. (1998), 98:1707-1713; Ghanim et al., Circulation, (2004) 110:1564-1571; Hofman et al., Diabetologia (1999), 42:222-232; Hofman et al., Diabetes Care, (1998), 21:1310-1316; Martin-Ventura et al., Stroke (2004), 35:458-463; Tsang et al., British Journal of Nutrition, (2005), 94:170-181; Tsang et al., Br. J. Nutr. (2005), 2pgs.; Baldwin Jr., A. S., The Journal of Clinical Investigation, (2001), 107:3-6; Deo et al., Journal of the American College of Cardiology, (2004), 44:1812-1818, see Tab 3; Holmes-McNary, see Tab 2. Manna, Lopez-Velez, Critical Reviews in Food Science and Nutrition, (2003), 43:233-244; Burns et al., J. Agric. Food Chem. (2002), 50:4096-4102; Blanco-Colio, Manuscript [Edigo 4 12/12/05; Giugliano, MD, To the Editor and Blanco-Colio et al., Response. [Egido 5 12/12/05]; November 11, 2005 Reply Expert Report-Dr. Jesus Egido [Egido 6 12/12/05]; Leiro et al., International Immunopharmacology (2005), 5:393-406 [Egido 7 12/12/05; and Tsang et al., British Journal of Nutrition, (2005), 93:233-240 [Egido 8 12/12/05]
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/DG/	December 13, 2005 Confidential Deposition of Peter Barnes, pp. 1-2, 48-49, 181-182 in Civil Case 02 CV 11280 RWZ
/DG/	December 14, 2005 Condensed Deposition of David Latchman in Civil Case 02 CV 11280 RWZ including deposition Exhibits 1-10 attached with this Third Supplemental Information Disclosure Statement, namely: Curriculum Vitae of Professor David S. Latchman [Latchman 1 12/14/05]; September 9, 2005 Expert Report of David Latchman, DSc., Ph.D. [Latchman 2 12/14/05]; November 11, 2005 Reply Expert Report of David Latchman, DSc., Ph.D. [Latchman 3 12/14/05]; Hand written note [Latchman 4 12/14/05]; Hand written notes [Latchman 5 12/14/05]; October 21, 2005 Rule 26(A)(2) Rebuttal Report of Thomas R. Kadesch, Ph.D. [Latchman 6 12/14/05]; Hoyos et al., Science (1989), 244:457-460 [Latchman 7 12/14/05]; Horuk, R., Journal of Immunological Methods, (1989), 119:255-258 [Latchman 8 12/14/05]; Scott and Smith, Science, (1990), 249:386-390 [Latchman 9 12/14/05]; and March 3, 2004 Memorandum Of Decision and Order [Latchman 10 12/14/05]
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/DG	December 20, 2005 Condensed Deposition of Thomas R. Kadesch Civil Case 02 CV 11280 RWZ including deposition Exhibits 1-12 attached with this Third Supplemental Information Disclosure Statement, namely: Curriculum Vitae of Thomas Robert Kadesch [DDX 414 12/20/05]; October 21, 2005 Rule 26(A)(2) Rebuttal Report of Thomas R. Kadesch, Ph.D. [DDX 415 12/20/05]; September 9, 2005 Expert Report of David Latchman, D.Sc., Ph.D. [DDX416 12/20/05]; November 11, 2005 Reply Expert Report of David Latchman, D.Sc., Ph.D. [DDX417 12/20/05]; U.S. Patent No. 5,500,365, issued March 19, 1996 Fischhoff et al. [DDX418 12/20/05]; Horuk R., Journal of Immunological Methods, (1989), 119:255-258 [DDX419 12/20/05]; Gehrt, et al., The Journal of Antibiotics, (1998), 51:455-463 [DDX420 12/20/05]; Kumar et al., Oncogene (1998), 17:913-918 [DDX421 12/20/05]; Davis et al., Science, (1991), 253:1268-1271 [DDX422 12/20/05]; Haskill et al., Cell, (1991), 65:1281-1289 [DDX423 12/20/05]; Bielinska et al., Science, (1990), 250:997-1000 [DDX424 12/20/05]; Hoyos et al., Science, (1989), 244:457-460 [DDX425 12/20/05]
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/DG	December 22, 2005 Condensed Transcript of Videotaped Deposition of Stavros C. Manolagas in Civil Case 02 CV 11280 RWZ including deposition Exhibits 1, and 3-19 attached with this Supplemental Information Disclosure Statement, namely: September 9, 2005 Expert Report of Stavros C. Manolagas [Manolagas 12/22/05 Exh 1]; November 11, 2005 Reply Expert Report of Stavros C. Manolagas, M.D. Ph.D. Regarding Invalidity of the Asserted Claims [Manolagas 12/22/05 Exh 3]; Declaration of Stavros Manolagas, M.D. Ph.D. [Manolagas 12/22/05 Exh 4]; Curriculum Vitae of Stavros C. Manolagas, M.D., Ph.D. last updated 12/19/05 [Manolagas 12/22/05 Exh 5]; Kousteni et al., The Journal of Clinical Investigation (June 2003) Vol. 111, No. 11, pp. 1651-1664 [Manolagas 12/22/05 Exh 6]; Physicians' Desk Reference, 39 Ed. (1985) p. 1811-1813 [Manolagas 12/22/05 Exh 7]; Emmel et al., Science (1989) 246:1617-1620 [Manolagas 12/22/05 Exh 8]; Brini et al., Eur. Cytokine Net. (Aug.-Sept. 1990) Vol. 1, No. 3, pp. 131-139 [Manolagas 12/22/05 Exh 9]; Schmidt et al., Journal of Virology (Aug. 1990) Vol. 64, No. 8, pp. 4037-4041 [Manolagas 12/22/05 Exh 10]; Krönke et al., Proc. Natl. Acad. Sci. USA (Aug. 1984) 81:5214-5218 [Manolagas 12/22/05 Exh 11]; Adams and Teegarden, J. Nutr. (2004) 134:2948-2952 [Manolagas 12/22/05 Exh 12]; Ho, S. et al., Clinical Immunology and Immunopathology (1996) Vol. 80, No. 3, pp. S40-S45 [Manolagas 12/22/05 Exh 13]; Johansen et al., J. Invest Dermatol (2005) 124:1284-1292 [Manolagas 12/22/05 Exh 14]; File History of U.S. Serial No. 08/474,936, filed June 7, 1995 [Manolagas 12/22/05 Exh 15]; Harnish et al., Endocrinology (2000) Vol. 141, No. 9, pp. 3403-3411 [Manolagas 12/22/05 Exh 16]; Ghisletti et al., Molecular And Cellular Biology (2005) Vol. 25, No. 8, pp. 2957-2968 [Manolagas 12/22/05 Exh 17]; U.S. Patent No. 6,410,516 B1, issued June 25, 2002 Baltimore et al. [Manolagas 12/22/05 Exh 18]; November 11, 2005 Declaration of Carolyn Smith [Manolagas 12/22/05 Exh 19]
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/DG/	December 23, 2005 Declaration of Lawrence R. Robins In Support Of Defendant Eli Lilly and Company's Motion For Summary Judgment of Invalidity Under 35 U.S.C. §102 including Exhibits 1-13 in Civil Case 02 CV 11280 RWZ
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/DG/	December 23, 2005 Defendant Eli Lilly and Company's Rule 56.1 Statement In Support of Its Motion For Summary Judgment of Invalidity Under 35 U.S.C. §102 in Civil Case 02 CV 11280 RWZ
/DG/	December 23, 2005 Memorandum In Support of Defendant Eli Lilly And Company's Motion For Summary Judgment of Invalidity Under 35 U.S.C. §§101 and 112, First Paragraph filed under seal pursuant to parties' stipulated protective order in Civil Case 02 CV 11280 RWZ

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/DG/	January 17, 2006 Eli Lilly and Company's Renewed Motion To Stay This Litigation Pending Reexamination of the '516 Patent-In Suit in Civil Case 02 CV 11280 RWZ
/DG/	January 17, 2006 Memorandum In Support of Eli Lilly and Company's Renewed Motion To Stay This Litigation Pending Reexamination of the '516 Patent-In Suit including Exhibits A-T in Civil Case 02 CV 11280 RWZ
/DG/	January 25, 2006 Condensed Deposition of Robert Lindsay Civil Case 02 CV 11280 RWZ including deposition Exhibits 1-14 attached with this Third Supplemental Information Disclosure Statement, namely: Curriculum Vitae of Robert Lindsay [Lindsay 1 1/25/06]; March 3, 2004 Memorandum of Decision And Order [Lindsay 4 1/25/06]; December 21, 2005 Eli Lilly and Company To Pay U.S. \$36 Million Relating To Off-Label Promotion [Lindsay 5 1/25/06]; Cosman and Lindsay, Endocrine Reviews, (1999), 20:418-434 [Lindsay 6 1/25/06]; Kousteni et al., J. Clin. Invest. (2003), 111:1651-1664 [Lindsay 7 1/25/06]; Helvering et al., Molecular Pharmacology, (2005), 63:1225-1238 [Lindsay 8 1/25/06]; 71.-77. Of deposition [Lindsay 9 1/25/06]; Walsh et al., the American Journal of Cardiology, (2001), 88:825-828 [Lindsay 10 1/25/06]; Gianni, et al., J. Clin. Endocrinol. Metab., (2004), 89:6097-6099 [Lindsay 11 1/25/06]; Blum et al., The American Journal of Cardiology, (2000), 86:892-895 [Lindsay 12 1/25/06]; U.S. Patent NO. 4,418,068, issued November 29, 1983, Jones [Lindsay 13 1/25/06]; Bone and Health and Osteoporosis: A Report of the Surgeon General 2004, Executive Summary < <a href="http://www.surgeongeneral.gov/library/bonehealth/Executive_summary.html">http://www.surgeongeneral.gov/library/bonehealth/Executive_summary.html</a> > [Lindsay 14 1/25/06]; Bone Health and Osteoporosis Chapter 9 pp219-253 [Lindsay 15 1/25/06]; U.S. Patent No. 6,545,027 B1, issued April 8, 2003, Berg et al. [Lindsay 16 1/25/06]
/DG/	January 31, 2006 Declaration of Peter Barlett Bressler, M.D., Document 198, filed 02/03/2006 in Civil Case 02 CV 11280 RWZ
/DG/	January 31, 2006 Plaintiffs' Memorandum In Opposition To Eli Lilly and Company's Renewed Motion To Stay This Litigation Pending Reexamination Of the '516 Patent-In Suit including Exhibits 1-7 and 8A-8I, Document 194, filed 01/31/2006, in Civil Case 02 CV 11280 RWZ
/DG/	February 1, 2006 First Declaration of Jeffrey V. Ravetch, MD, Ph.D., Document 198, filed 02/03/2006, in Civil Case 02 CV 11280 RWZ
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/DG/	February 3, 2006 Concise Statement of Material Facts As to Which There Is A Genuine Issue In Support Of Plaintiff's Opposition To Lilly's Motion For Summary Judgment of Invalidity Under 35 U.S.C. §102, Document 202, filed 02/03/2006, in Civil Case 02 CV 11280 RWZ
/DG/	February 3, 2006 Declaration of Vladimir V. Drozdoff In Support of Plaintiffs' Opposition to Defendant Eli Lilly & Co.'s Motion For Summary Judgment of Invalidity Under 35 U.S.C. section 102 and Related Documents, Document 203, filed 02/03/2006, in Civil Case 02 CV 11280 RWZ
/DG/	February 3, 2006 Declaration of Vladimir V. Drozdoff in Support of Plaintiffs' Opposition to Defendant Eli Lilly & Co.'s Motion For Summary Judgment of Invalidity Under 35 U.S.C. Section 101 and 112, First Paragraph, Document 200, filed 02/03/2006, in Civil Case 02 CV 11280 RWZ
/DG/	February 3, 2006 Plaintiffs' Opposition to Defendant Eli Lilly & Co.'s Motion For Summary Judgment of Invalidity Under 35 U.S.C. §§101 and 112, First Paragraph filed under seal, Document 198-1, filed 02/03/2006, in Civil Case 02 CV 11280 RWZ
/DG/	February 4, 2006 Plaintiffs' Memorandum In Opposition To Defendant Eli Lilly & Co.'s Motion For Summary Judgment of Invalidity Under 35 U.S.C. Section 102 filed under seal, Document 201-1, filed 02/03/2006, in Civil Case 02 CV 11280 RWZ
/DG/	February 24, 2006 Declaration of Leslie A. McDonell in Support of Defendant Eli Lilly and Company's Reply Memorandum In Support of Its Motion For Summary Judgment of Invalidity Under 35 U.S.C. §102, Document 214-1, filed 02/24/2006, in Civil Case 02 CV 11280 RWZ
/DG/	February 24, 2006 Declaration of Leslie A. McDonell in Support of Defendant Eli Lilly and Company's Reply Memorandum In Support of Its Motion For Summary Judgment of Invalidity Under 35 U.S.C. §§101 and 112, First Paragraph, Document 211, filed 02/24/2006, in Civil Case 02 CV 11280 RWZ

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/DG/	February 24, 2006 Motion For Leave To File Reply Memorandum In Support Of Defendant Eli Lilly and Company's Motion For Summary Judgment Of Invalidity Under 35 U.S.C. §§101 and 112, First Paragraph, Document 210-1, filed 02/24/2006, in Civil Case 02 CV 11280 RWZ
/DG/	February 24, 2006 Reply Memorandum In Support of Defendant's Motion For Summary Judgment Of Invalidity Under 35 U.S.C. §102, Document 213-2, filed 02/24/2006, in Civil Case 02 CV 11280 RWZ
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/DG/	March 3, 2006 Plaintiffs' Opposition To Defendant Eli Lilly & Co.'s Motion For Leave To File A Reply Brief In Support of its Summary Judgment of Invalidity Under 35 U.S.C. Section 102 including Exhibit 1, Document 218, filed 03/03/2006, in Civil Case 02 CV 11280 RWZ
/DG/	March 3, 2006 Concise Statement Of Material Facts As To Which There Is A Genuine Issue In Support of Plaintiffs Opposition to Defendant Eli Lilly & Company's Motion for Summary Judgment of Invalidity Under 35 U.S.C. §§101 and 112, First Paragraph, Document 199, filed 02/03/2006, in Civil Case 02 CV 11280 RWZ
/DG/	March 3, 2006 Plaintiffs Opposition to Defendant Eli Lilly & Company's Motion For Leave To File Reply Memorandum In Support Of Eli Lilly and Company's Motion for Summary judgment of Invalidity under 35 U.S.C. §§101 and 112, First Paragraph, Document 217, filed 03/03/2006, in Civil Case 02 CV 11280 RWZ

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EXAMINER /David Guzo/		DATE CONSIDERED	05/16/2007		

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